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EXAMINER

NALEVANKO, CHRISTOPHER R

ART UNIT PAPER NUMBER

2611

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/823,484

Applicant(s)

CONNELLY, JAY H.

Examiner

Christopher R Nalevanko

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>Dec 6, 2001; Jan 19, 2003</u>   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 5, the claim recites the limitation "stored data file." There is insufficient antecedent basis for this limitation in the claim. Claim 5 refers back to Claim 1 and there is no disclosure of a "stored data file accessed by the user" in Claim 1.

Clarification is required.

\*\*\*The following rejections are based on the Examiner's best understanding of the claimed limitations in light of the above 35 USC 112 2<sup>nd</sup> paragraph rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2611

2. Claims 1, 6, 7, 11, 15, 19, 20, 25, 28, 29, 33, and 34-36 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Seidman et al (6,298,482).

Regarding Claim 1, Seidman shows a method broadcasting meta-data to one or more client systems (col. 7 lines 34-40, col. 8 lines 16-35, embedded hyperlink data), including descriptions of a first plurality of data files available from a service provider system and a second plurality of data files to be broadcast by a broadcast service system (col. 5 lines 13-22, col. 7 lines 39-55, data describing programming data, col. 9 lines 20-40, plurality of program segments for viewing), rating the first plurality of data files and second plurality of data files (col. 6 lines 25-52, col. 7 lines 63-67, col. 8 lines 1-11, user ratings and profile of different shows), broadcasting a portion of the first plurality of data files to the one or more client systems in response to the ratings and the second plurality of data files to be broadcast by the broadcast service (col. 3 lines 55-67, program segments broadcast to users based on profile, col. 8 lines 20-50, head-end supplies different data based on ratings and profile).

Regarding Claim 6, Seidman shows a method comprising receiving meta-data, the meta-data including descriptions of a first plurality of data files available from a service provider system and a second plurality of data tiles to be broadcast by a broadcast service system (col. 7 lines 34-40, col. 8 lines 16-35, embedded hyperlink data, col. 5 lines 13-22, col. 7 lines 39-55, data describing programming data, col. 9 lines 20-40, plurality of program segments for viewing), rating, in response to a content rating table, at least one of the first and second plurality of data files described by the meta-data, the content rating table generated responsive to a user (col. 6 lines 25-52, col. 7 lines 63-67, col. 8 lines 1-

11, user ratings and profile of different shows), receiving a portion of the first plurality of data files broadcast by the service provider system and the second plurality of data files broadcast by the broadcast service system (col. 3 lines 55-67, program segments broadcast to users based on profile, col. 8 lines 20-50, head-end supplies different data based on ratings and profile), and storing, based on the content rating table, one or more of a portion of the second plurality of data files broadcast by the broadcast service system and one or more of the portion of the first plurality of data files broadcast by the service provider system (col. 9 lines 45-67, storing program segments).

Regarding Claim 7, Seidman shows transmitting the user ratings to the service provider (col. 6 lines 40-67, sending user history and preferences to head end).

Regarding Claim 11, Seidman shows storing data files in memory for the user's eventual selection (col. 9 lines 45-67, storing overlapping segments). Although not specifically stated it is nonetheless inherent that the STB uses memory, RAM, or a digital disk to store this data.

Regarding Claim 15, Seidman shows a processor having circuitry to execute instructions (col. 11 lines 10-24, microcontroller), a communications interface coupled to processor to receive and transmit data from and to clients (col. 4 lines 30-55, communications path), and a storage device having instructions to execute the processor (col. 11 lines 24-35, RAM). All other limitations of the claim have been discussed with regards to Claim 1.

Regarding Claim 19, Seidman shows a processor having circuitry to execute instructions (col. 11 lines 10-24, microcontroller), a communications interface coupled to

Art Unit: 2611

processor to receive and transmit data from and to clients (col. 4 lines 30-55, communications path), and a storage device having instructions to execute the processor (col. 11 lines 24-35, RAM). All other limitations of the claim have been discussed with regards to Claim 6.

Regarding Claim 20, Seidman shows transmitting the user ratings to the service provider (col. 6 lines 40-67, sending user history and preferences to head end).

Regarding Claim 25, Seidman shows machine readable medium having instructions stored thereon that execute a processor (col. 11 lines 10-30). All other limitations have been discussed with regards to Claim 1.

Regarding Claim 28, Seidman shows machine readable medium having instructions stored thereon that execute a processor (col. 11 lines 10-30). All other limitations have been discussed with regards to Claim 6.

Regarding Claim 29, Seidman shows transmitting the user ratings to the service provider (col. 6 lines 40-67, sending user history and preferences to head end).

Regarding Claim 33, all limitations of the claim have been discussed with regards to Claim 11.

Regarding Claim 34, Seidman shows a system comprising a service provider broadcast server (col. 4 lines 30-40, head end with media content), and one or more client systems coupled to the service provider broadcast server (col. 4 lines 30-57, user STB connected to head end), wherein meta-data is broadcast to the one or more client systems, the meta-data including descriptions of a first plurality of data files available from the

service provider broadcast server and a second plurality of data files to be broadcast by a broadcast service system (col. 7 lines 34-40, col. 8 lines 16-35, embedded hyperlink data, col. 5 lines 13-22, col. 7 lines 39-55, data describing programming data, col. 9 lines 20-40, plurality of program segments for viewing), wherein the one or more client systems rate, one or more of the first and second plurality of data files described by the meta-data (col. 6 lines 25-52, col. 7 lines 63-67, col. 8 lines 1-11, user ratings and profile of different shows) the content rating table generated responsive to data files previously accessed (col. 5 lines 53-63, storing viewer's previous selections, col. 6 lines 2-8), wherein the one or more client systems transmit, to the service provider broadcast server, the ratings of the first and second plurality of data files (col. 6 lines 40-67, sending user history and preferences to head end), wherein the service provider server selects a portion of the first and second plurality of the data files in response to the ratings received from the one or more client systems (col. 3 lines 55-67, program segments broadcast to users based on profile, col. 8 lines 20-50, head-end supplies different data based on ratings and profile), and wherein the service provider system further broadcasts the selected portion of the first plurality of data files to the one or more client system (col. 3 lines 55-67, program segments broadcast to users based on profile, col. 8 lines 20-50, head-end supplies different data based on ratings and profile).

Regarding Claim 35, Seidman shows the systems selectively store data files from the selected portion of the first and second plurality of data files in response to a content rating table associated with each respective one of the one or more of client systems (col. 9 lines 45-67, storing program segments).

Regarding Claim 36, Seidman shows the client selectively receives data files from the selected portion of the plurality of data files in response to content ratings associated with each client (col. 3 lines 55-67, program segments broadcast to users based on profile, col. 8 lines 20-50, head-end supplies different data based on ratings and profile).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-4, 8, 12, -14, 16-18, 21-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seidman et al (6,298,482) and further in view of Ten Kate et al (6,601,237).

Regarding Claim 2, Seidman further shows receiving ratings of the first plurality of data files and second plurality of data files from the one or more client systems (col. 6 lines 40-67, receiving profile report from user, col. 8 lines 20-45), determining overlapping data files as data files from the selected portion of the first and second plurality of data files to be broadcast by the broadcast service system (col. 9 lines 20-45, 57-67, col. 10 lines 1-20, overlapping segments), and eliminating, from the selected portion of the first plurality of data files, the overlapping data files to form the portion of the first plurality of data files to be broadcast to the one or more client systems by the service provider (col. 9 lines 10-55, displaying the program segment most relative to user



interest, and suppressing additional segments). Although Seidman shows that the profile ratings choose which program segment to display, he fails to specifically state that this selection is based on a higher rating. Ten Kate shows selecting a portion of the first and second plurality of data files which have having higher ratings based on the received ratings (col. 6 lines 1-23, showing program with higher priority rating). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to choose segments based on a higher rating, as taught in Ten Kate, so that the user would be provided with the most relevant data.

Regarding Claim 3, Although Seidman shows a “program menu” and additional data pertaining to broadcast times (col. 5 lines 13-22, col. 6 lines 65-67), he fails to specifically state a schedule broadcast prior to the segments and overlapping segments. Ten Kate shows broadcasting numerous amounts of schedule data pertaining to the program segments and overlapping segments (col. 1 lines 22-36, col. 2 lines 5-20, col. 4 lines 50-67, program schedule data describing parameters of broadcast segments). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to broadcast numerous amounts of schedule data, as taught in Ten Kate, so that the user would be provided with the most relevant data pertaining to a program and allow the system to compare different entries.

Regarding Claim 4, Seidman shows that a variety of hyperlinks are sent to the user, then the user selects the hyperlink, effectively sending the meta-data (col. 7 lines 28-38, col. 8 lines 19-45, selection of hyperlink sends user relevant metadata, hyperlink is effectively scheduling the display of data).

Regarding Claim 8, Seidman shows that a variety of hyperlinks are sent to the user, then the user selects the hyperlink, effectively sending the meta-data (col. 7 lines 28-38, col. 8 lines 19-45, selection of hyperlink sends user relevant metadata, hyperlink is effectively scheduling the display of data). Although Seidman shows a "program menu" and additional data pertaining to broadcast times (col. 5 lines 13-22, col. 6 lines 65-67), he fails to specifically state a schedule broadcast prior to the segments and overlapping segments. Ten Kate shows broadcasting numerous amounts of schedule data pertaining to the program segments and overlapping segments (col. 1 lines 22-36, col. 2 lines 5-20, col. 4 lines 50-67, program schedule data describing parameters of broadcast segments). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to broadcast numerous amounts of schedule data, as taught in Ten Kate, so that the user would be provided with the most relevant data pertaining to a program and allow the system to compare different entries.

Regarding Claim 12, receiving meta-data, the meta-data including descriptions of a first plurality of data files available from a service provider system and a second plurality of data files to be broadcast by a broadcast service system (col. 7 lines 34-40, col. 8 lines 16-35, embedded hyperlink data, col. 5 lines 13-22, col. 7 lines 39-55, data describing programming data, col. 9 lines 20-40, plurality of program segments for viewing), rating, in response to a content rating table, at least one of the first and second plurality of data files described by the meta-data, the content rating table generated responsive to a user (col. 6 lines 25-52, col. 7 lines 63-67, col. 8 lines 1-11, user ratings and profile of different shows), selectively receiving, based on the content rating table, a

Art Unit: 2611

portion of the first plurality of data files broadcast by the service provider system (col. 3 lines 55-67, program segments broadcast to users based on profile, col. 8 lines 20-50, head-end supplies different data based on ratings and profile), storing one or more of the portion of the first plurality of data files broadcast by the service provider system (col. 9 lines 45-67, storing program segments), and when data files from the portion of the second plurality of data files are available storing one or more of the data files based on the content rating table (col. 9 lines 45-67, storing program segments). Although Seidman shows a “program menu” and additional data pertaining to broadcast times (col. 5 lines 13-22, col. 6 lines 65-67), he fails to specifically state a schedule broadcast prior to the segments and overlapping segments. Ten Kate shows broadcasting numerous amounts of schedule data pertaining to the program segments and overlapping segments (col. 1 lines 22-36, col. 2 lines 5-20, col. 4 lines 50-67, program schedule data describing parameters of broadcast segments). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to broadcast numerous amounts of schedule data, as taught in Ten Kate, so that the user would be provided with the most relevant data pertaining to a program and allow the system to compare different entries.

Regarding Claim 13, Seidman shows transmitting the user ratings to the service provider (col. 6 lines 40-67, sending user history and preferences to head end).

Regarding Claim 14, Seidman shows that a variety of hyperlinks are sent to the user, then the user selects the hyperlink, effectively sending the meta-data (col. 7 lines 28-38, col. 8 lines 19-45, selection of hyperlink sends user relevant metadata, hyperlink is

effectively scheduling the display of data). Although Seidman shows a “program menu” and additional data pertaining to broadcast times (col. 5 lines 13-22, col. 6 lines 65-67), he fails to specifically state a schedule broadcast prior to the segments and overlapping segments. Ten Kate shows broadcasting numerous amounts of schedule data pertaining to the program segments and overlapping segments (col. 1 lines 22-36, col. 2 lines 5-20, col. 4 lines 50-67, program schedule data describing parameters of broadcast segments). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to broadcast numerous amounts of schedule data, as taught in Ten Kate, so that the user would be provided with the most relevant data pertaining to a program and allow the system to compare different entries.

Regarding Claim 16, all limitations of the claim have been discussed with regards to Claim 2.

Regarding Claim 17, all limitations of the claim have been discussed with regards to Claim 3.

Regarding Claim 18, all limitations of the claim have been discussed with regards to Claim 4.

Regarding Claim 21, all limitations of the claim have been discussed with regards to Claim 8.

Regarding Claim 22, Seidman shows a processor having circuitry to execute instructions (col. 11 lines 10-24, microcontroller), a communications interface coupled to processor to receive and transmit data from and to clients (col. 4 lines 30-55, communications path), and a storage device having instructions to execute the processor

(col. 11 lines 24-35, RAM). All other limitations of the claim have been discussed with regards to Claim 12.

Regarding Claim 23, Seidman shows transmitting the user ratings to the service provider (col. 6 lines 40-67, sending user history and preferences to head end).

Regarding Claim 24, all limitations of the claim have been discussed with regards to Claim 14.

Regarding Claim 26, all limitations of the claim have been discussed with regards to Claim 2.

4. Claims 5, 10, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seidman et al (6,298,482) and further in view of Ten Kate et al (6,601,237) and Ballou, Jr et al (2002/0112235).

Regarding Claim 5, Seidman and Ten Kate fail to show receiving compensation for a stored data file and dividing compensation between the service provider and broadcast service system based on the portion provided. Ballou shows receiving compensation for a stored data file (page 4 section 0038, receiving ID to charge credit account) and dividing compensation between the content provider and distributor (page 6 section 0063-0064, dividing compensation between distributor and content provider). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman and Ten Kate with the ability to charge per viewing and divide compensation, as taught in Ballou, so that the multiple providers would receive maximum compensation and the appropriate compensation would go to each.

Regarding Claim 9, Seidman shows receiving a selection for a stored data file (col. 9 lines 45-67, storing segments and user selecting appropriate segment). Seidman fails to show determining the service provider. Ten Kate shows the ability to determine information about content provider (col. 4 lines 35-67, SDT listing parameters of service for broadcast stream). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to determine the service provider, as in Ten Kate, so the system would know the source of the stream.

Seidman and Ten Kate fail to show billing the user a predetermined amount for selection of the stored data based on content provider information. Ballou shows billing the user a predetermined amount for selection of the stored data based on content provider information (page 4 section 0038, receiving ID to charge credit account, page 6 sections 0063-0065, billing according to multiple factors). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman and Ten Kate with the ability to charge per viewing, as taught in Ballou, so that the multiple providers would receive maximum compensation.

Regarding Claim 10, Seidman fails to show determining the service provider. Ten Kate shows the ability to determine information about content provider (col. 4 lines 35-67, SDT listing parameters of service for broadcast stream). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to determine the service provider, as in Ten Kate, so the system would know the source of the stream.

Seidman and Ten Kate fail to show receiving compensation for a stored data file and dividing compensation between the service provider and broadcast service system based on the portion provided. Ballou shows receiving compensation for a stored data file (page 4 section 0038, receiving ID to charge credit account) and dividing compensation between the content provider and distributor (page 6 section 0063-0064, dividing compensation between distributor and content provider). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman and Ten Kate with the ability to charge per viewing and divide compensation, as taught in Ballou, so that the multiple providers would receive maximum compensation and the appropriate compensation would go to each.

Regarding Claim 31, all limitations of the claim have been discussed with regards to Claim 9.

Regarding Claim 32, all limitations of the claim have been discussed with regards to Claim 10.

5. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seidman et al (6,298,482) and further in view of Barton et al (6,490,722).

Regarding Claim 30, Although Seidman shows that segments are stored and it is inherent new segments can be stored (col. 9-10, lines 47-19), he fails to specifically state the ability to remove data files stored on a client system once viewed by a user, and replace deleted data files with additional data files broadcast by the service provider system and the broadcast service system. Barton shows the ability to remove data files stored on a client system once viewed by a user, and replace deleted data files with

Art Unit: 2611

additional data files broadcast by the service provider system and the broadcast service system (col. 18 lines 64-67, col. 19 lines 1-7, deleting previously viewed segments and replacing with new segments). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman with the ability to erase older segments and store new segments, as taught in Barton, so that the user would be supplied with a continuous stream of viewing material.

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seidman et al (6,298,482) and further in view of Ten Kate et al (6,601,237) and Ali (2002/0199194).

Regarding Claim 27, Although Seidman and Ten Kate show user ratings and preferences they both fail to specifically state that all of the users' rating are combined to form an overall ratings list. Ali shows combining multiple users' ratings to form an overall ratings list (page 3 section 0027, list of rated items are aggregated with the rated items from many other users into a single list). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Seidman and Ten Kate with the ability to aggregate multiple users' ratings, as shown in Ali, so that suggestions could be made to the user of recommended shows.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zhou et al U.S. Patent Application Publication No. 2003/0097657 discloses a method and system for delivery of targeted programming.



Russo U.S. Patent Application Publication No. 2004/0123323 discloses a stored program pay per play.

Schein et al U.S. Patent Application Publication No. 2004/0163104 discloses a television schedule system and method of operation for multiple program occurrences.

Ottesen et al U.S. Patent No. 5,654,747 discloses an intelligent multimedia set top control method and apparatus in which billing signals are communicated to an information network upon presentation of downloaded media programs.

Schneidewend U.S. Patent No. 6,529,526 discloses a system for processing programs and program content rating information derived from multiple broadcast sources.

Kwoh U.S. Patent Application Publication No. 2003/0074664 discloses a program guide for DBS and Cable TV.

Wugofski et al U.S. Patent Application Publication No. 2003/0056216 discloses a system for managing favorite channels.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R Nalevanko whose telephone number is 703-305-8093. The examiner can normally be reached on M-F 8-5.

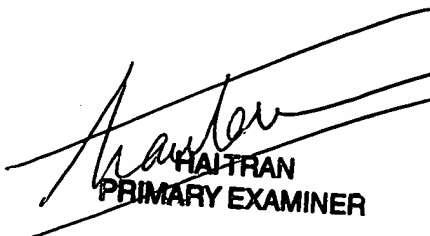
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**PRIMARY EXAMINER**